

## Message Text

SECRET

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ACTION SS-25

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 1353

S E C R E T TOKYO 8976

EXDIS

STADIS

E.O. 11652: GDS

TAGS: PLOS, JA

SUBJ: LOS BILATERAL WITH JAPAN

FOR DEPUTY SECRETARY INGERSOLL FROM UNDER SECRETARY

MAW AND AMBASSADOR MOORE

DEPARTMENT PLEASE PASS TO FRENCH (DOD/ISA), MORRIS

(OJCS) AND CLIFT (WHITE HOUSE)

REQUEST DEPARTMENT ALSO PASS TO MOSCOW

1. SUMMARY: IN LOS BILATERAL WITH JAPAN, FONOFF TREATIES  
BUREAU DIRGEN MATSUNAGA STRONGLY HINTED THAT IF U.S.  
MOVES UNILATERALLY TO ADOPT A 200 MILE FISHING ZONE JAPAN  
MAY BE FORCED TO EXTEND TERRITORIAL SEA FROM 3 TO 12  
MILES WITH CONSEQUENT EXACERBATION OF PROBLEMS CONCERNING  
TRANSIT OF VESSELS WITH NUCLEAR WEAPONS. CONVERSELY, HE  
HINTED THAT JAPAN COULD SIGN OVERALL SATISFACTORY LOS  
TREATY CONTAINING TRANSIT PASSAGE ARTICLES AND THAT THIS  
COULD RESOLVE OUR PROBLEMS IN STRAITS WITHOUT NECESSITY OF  
MAKING DISTINCTIONS BETWEEN CATEGORIES OF VESSELS. END  
SUMMARY.

2. U.S. TEAM CONSISTING OF UNDER SECRETARY CARLYLE  
MAW, AMBASSADOR JOHN NORTON MOORE, BERNARD OXMAN, DCM SHOESMITH  
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AND POLCOUS PETREE ON JULY 5 MET JAPANESE TEAM CONSISTING

OF DIRGEN TREATIES BUREAU MATSUNAGA, TREATIES DIVDIR HISASHI OWADA, TREATIES DIVDEPDIR TAKAO KAWAKAMI, AND AMBASSADOR OGISO. MATSUNAGA POINTED OUT PRESSURES ON JAPANESE GOVERNMENT FROM FISHERIES INTERESTS TO UNILATERALLY EXTEND THE TERRITORIAL SEA FROM 3 TO 12 MILES TO ALLEVIATE FISHING PRESSURE FROM SOVIET VESSELS. HE SAID JAPANESE GOVERNMENT OPPOSED TO THIS, BUT THAT PRESSURES WOULD INCREASE GREATLY IF U.S. MOVED UNILATERALLY TO ADOPT A 200 MILE FISHING ZONE. AMONG REASONS WHY JAPANESE GOVERNMENT OPPOSED TO EXTENSION FROM 3 TO 12 MILES HE INDICATED THAT THIS WOULD EXACERBATE PROBLEMS CONCERNING TRANSIT OF VESSELS CARRYING NUCLEAR WEAPONS. U.S. TEAM ASKED WHY FISHERIES CONTIGUOUS ZONE WOULD NOT SOLVE PROBLEM AND STRONGLY POINTED OUT OCEANS POLICY AND LOS PROBLEMS WITH ANY SUCH MOVE. MATSUNAGA ALSO HINTED THAT SATISFACTORY LOS TREATY CONTAINING TRANSIT PASSAGE REGIME COULD SOLVE PROBLEM WITH RESPECT TO TRANSIT OF STRAITS.

3. JAPANESE ALSO RAISED ISSUES CONCERNING STRAITS USED FOR INTERNATIONAL NAVIGATION AND OVERFLIGHT OF TSUGARU STRAIT. DETAILED MEMCON FOLLOWS.

4. ANALYSIS: JAPANESE SEEMED CLEARLY TO BE SIGNALLING THAT IF U.S. MOVED UNILATERALLY ON 200 MILE FISHING BILL, IT COULD LEAD TO EXACERBATION OF ISSUES CONCERNING TRANSIT OF VESSELS CARRYING NUCLEAR WEAPONS. THEY ARE CLEARLY AND STRONGLY OPPOSED TO UNILATERAL MEASURES DURING COURSE OF LOS CONFERENCE AND FEEL IT WILL SEVERELY HARM THEIR INTERESTS. CONVERSELY, THEY SEEM TO HAVE SIGNALLED THAT OVERALL SATISFACTORY LOS TREATY COULD PERMIT JAPANESE ACCEPTANCE OF TRANSIT PASSAGE REGIME IN STRAITS. THIS IS YET ANOTHER REASON WHY SATISFACTORY LOS TREATY PREFERABLE TO EVOLUTION OF CUSTOMARY INTERNATIONAL LAW WITHOUT A TREATY.

HODGSON

SECRET

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## Message Attributes

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